IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1039 OF 2006
IN
APPEAL (LODG) NO. 1372 OF 2005
IN
ARBITRATION PETITION NO. 483 OF 2004
IN
AWARD NO. 11 OF 2004

M/s. Central India Builder] .. Appellants (Ori.Respondents)

Versus

M/s.City & Industrial Development Corpn] .. Respondents (Ori.Petitioners)

Ms. Saumya Srikrishna i/b M/s. Shantilal & Co. for the applicants - appellants.

CORAM: R.M. LODHA &
S.R. SATHE, JJ.

DATED: 01ST SEPTEMBER, 2006

P.C. :

. On 6th September, 2005 the order came to be passed in Arbitration Petition No.483 of 2004. Aggrieved thereby, the appellants have preferred this Appeal. The Appeal suffers from delay of 37 days. The explanation has been given in the Affidavits of Kartikey Narharibhai Patolia, partner of the appellants and Baburao S. Marinaik, the Clerk of M/s. Shantilal & Company, Advocate for applicants-appellants.

2. For want of any contest to the Notice of Motion by the respondents, there is no reason to disbelieve the statements made in the said Affidavits.

3. The delay of 37 days, in our view, is sufficiently explained. We, accordingly, condone the delay in filing the Appeal.

4. Office is directed to process the Appeal and post it for admission.

. Notice of Motion stands disposed of.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.R. SATHE, J.]